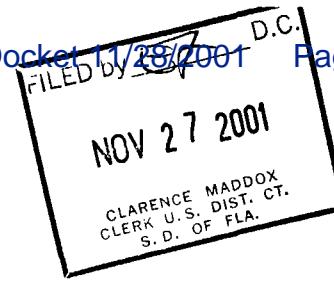


LAW OFFICES OF
JEFFREY D. WEINKLE, P.A.
1035 N.W 11th AVENUE
MIAMI, FLORIDA 33136-2911



TELEPHONE (305) 373-4445

FACSIMILE (305) 545-8514

November 27, 2001

United States Attorney's Office
AUSA Larry Lavecchio
500 E. Broward Blvd.
Ft. Lauderdale, FL 33394

HAND DELIVERED

Re: United States v. Ariel Hernandez
CASE NO. 00-6273-CR-HUCK

Dear Mr. Lavecchio:

Enclosed, are the objections to the redactions of Ariel Hernandez's statements. This is the list that I previously showed you in court. You now have your own copy.

Please let me know your thoughts on this matter at your earliest convenience.

Very truly yours,

JEFFREY D. WEINKLE

cc: Steve Rosen, Esq.
Fred Haddad, Esq.

OBJECTIONS TO PROSECUTION REDACTIONS
OF ARIEL HERNANDEZ STATEMENTS

ILARAZA Investigation Report:

P39 Makes it appear that Ariel Hernandez is still trying to conceal/protect Massaro.

Sees as if there was a prearranged plan - someone standing by with truck- for disposal of the body.

P40 If prosecution Presents evidence That Massaro was present at the purchase of the TV, this again appears that Ariel Hernandez is trying to protect Massaro by not giving Massaro's name.

(Also, Ariel Hernandez and Massaro were involved in this purchase/return scheme together. Therefore, he would be the natural person for Ariel Hernandez to call when he had a problem)

STATEMENT OF ARIEL HERNANDEZ:

P10 Leave in: (last Q & A) re: after a while he called me back. I beeped him several times.

P12 Leave in: re:

He never went into the room

He honked the horn and I came out

I told him that there was a situation, ... need to get rid of this stereo.

I didn't want him to know anything.

P19 Again, (as in Invest. Rpt) If prosecution Presents evidence That Massaro (or Tony, associate/employee of Massaro) was present at the purchase of the TV, the this again appears that Ariel Hernandez is trying to protect Massaro by not giving Massaro's name.

P20 Re: leave out telling Massaro makes it seem that he is corroborating Ilaraza's rept re: he told Bubel. (This is not factually accurate)

P21 Re: when he called Massaro he told him he was in a "situation."

FBI 302:

Throughout: omission of references to Trentacosta and Massaro make it appear that he is protecting his associates/supervisors.

Also makes it seem as if he has his own independent sources of extensive information re: Gambino Family, probably from his long standing with that organization.

However, leaving the names in, makes it clear to the jury that his only knowledge of the Gambino Family and the people, comes from Massaro.

(Note: p 7 Prosecution Missed one reference to Massaro.)